

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOANNE RICCI PILCHESKY,  
ET AL.,

Petitioners,

vs.

UNITED STATES OF AMERICA  
ET AL.

Respondents.

CIVIL ACTION NO. 3:mc-08-0103

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Before me are Motion for Enlargement of Time to Respond to Respondent United States of America's Motion to Dismiss and Motion for Summary Denial of Petition to Quash and Summary Enforcement of Summons (Doc. 9), and Motion for Leave of Court to Set Aside Service and Cure Service (Doc. 10).

Petitioners seek an extension to time to respond to Respondent's Motion to Dismiss and Motion for Summary Denial of Petition to Quash and Summary Enforcement of Summons for a period of ninety (90) days after service of Summons and Petition. The Petitioners seek to cure alleged defective service of their Petition to Quash Third Party Subpoenas. Both motions were filed on August 15, 2008, two days after Petitioners were to respond to the outstanding motions of the Respondent. Moreover, the Motion for Leave of Court to Set Aside Service and Cure Service (Doc. 10) represents that "A copy of the Summons correcting service is attached herein" (Doc. 10, ¶ 7), and it is not attached

as represented.

The Petitioners have had adequate time to respond as well as re-serve their motions, and they have failed to do so. Therefore, the Motion for Enlargement of Time to Respond to Respondent United States of America's Motion to Dismiss and Motion for Summary Denial of Petition to Quash and Summary Enforcement of Summons (Doc. 9) and Motion for Leave of Court to Set Aside Service and Cure Service (Doc. 10) are denied.

**NOW**, this 9<sup>th</sup> day of September, 2008, **IT IS HEREBY ORDERED** that the Motion for Enlargement of Time to Respond to Respondent United States of America's Motion to Dismiss and Motion for Summary Denial of Petition to Quash and Summary Enforcement of Summons (Doc. 9) and Motion for Leave of Court to Set Aside Service and Cure Service (Doc. 10) are **denied**.

A handwritten signature in black ink, appearing to read 'A. Richard Caputo', is written over a horizontal line.

A. Richard Caputo  
United States District Judge